



General Assembly

Amendment

February Session, 2014

LCO No. 4149

SB0018604149HR0

Offered by:

REP. SAMPSON, 80th Dist.

To: Senate Bill No. 186

File No. 58

Cal. No. 416

(As Amended by Senate Amendment Schedule "A")

***"AN ACT CONCERNING DISPENSATION AND INSURANCE
COVERAGE OF A PRESCRIBED DRUG DURING REVIEW OF AN
ADVERSE DETERMINATION OR A FINAL ADVERSE
DETERMINATION."***

1 Strike subparagraph (C) of subdivision (1) of subsection (b) of
2 section 1 in its entirety and insert the following in lieu thereof:

3 "(C) (i) If the review under subparagraph (A) of this subdivision is a
4 review of a grievance involving a prospective review request relating
5 to the dispensation of a drug, other than a schedule II or III controlled
6 substance, prescribed by a licensed participating provider, the health
7 carrier shall issue immediate electronic authorization to the covered
8 person's pharmacy for the dispensation of a one-time fourteen-day
9 supply of such drug. Such authorization shall include confirmation of
10 the availability of payment for such supply of such drug. The
11 provisions of this subparagraph shall not apply to a grievance or
12 review of an adverse determination under this section concerning the

13 substitution of a generic drug or another brand name drug for a
14 prescribed brand name drug unless the prescribing licensed
15 participating provider has specified that there shall be no substitution
16 for the specified brand name drug.

17 (ii) Any pharmacy that provides a fourteen-day supply of a drug
18 pursuant to subparagraph (C)(i) of this subdivision shall, not later than
19 seven business days after issuing such supply, report each such
20 incident to the Department of Consumer Protection, along with the
21 name and unit cost of the prescribed drug. The Department of
22 Consumer Protection shall post on its Internet web site once annually a
23 compilation of the information reported."

24 Strike subdivision (4) of subsection (c) of section 2 in its entirety and
25 insert the following in lieu thereof:

26 "(4) (A) If the review under subdivision (1) of this subsection is a
27 review of a grievance involving an adverse determination of a
28 prospective review request relating to the dispensation of a drug, other
29 than a schedule II or III controlled substance, prescribed by a licensed
30 participating provider, the health carrier shall issue immediate
31 electronic authorization to the covered person's pharmacy for the
32 dispensation of a one-time fourteen-day supply of such drug. Such
33 authorization shall include confirmation of the availability of payment
34 for such supply of such drug. The provisions of this subdivision shall
35 not apply to a grievance or review of an adverse determination under
36 this section concerning the substitution of a generic drug or another
37 brand name drug for a prescribed brand name drug unless the
38 prescribing licensed participating provider has specified that there
39 shall be no substitution for the specified brand name drug.

40 (B) Any pharmacy that provides a fourteen-day supply of a drug
41 pursuant to subparagraph (A) of this subdivision shall, not later than
42 seven business days after issuing such supply, report each such
43 incident to the Department of Consumer Protection, along with the
44 name and unit cost of the prescribed drug. The Department of

45 Consumer Protection shall post on its Internet web site once annually a
46 compilation of the information reported."